

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

VIRGINIA F. MUSMANNO AND
JOHN L. MUSMANNO

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil Action Nos. 05-338 and 05-1371


Judge Gary L. Lancaster
Magistrate Lisa Pupo Lenihan

(Electronic Filing)

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, it is hereby stipulated and agreed to by and between the respective parties that the above-captioned cases be dismissed with prejudice, each party to bear their own costs, and the Court may enter an Order accordingly, notice by the Clerk being hereby waived.

SO ORDERED, this 5th day of May,
2006.


Gary L. Lancaster, U.S. District Judge


HOWARD MESSER, ESQUIRE

Attorney for Plaintiff

MARY BETH BUCHANAN
United States Attorney

/s/ Christy Criswell Wiegand
CHRISTY CRISWELL WIEGAND
Assistant U.S. Attorney

Attorneys for Defendant